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Paper 18

Filed October 5, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

LAURE DUMOUTIER and JEAN-CHRISTOPHE RENAULD
Junior Party
(U.S. Application No. 09/915,735),

v.

YASMIN A. CHANDRASEKHER, JULIA E. NOVAK,
DONALD C. FOSTER, WENFENG XU, and STEPHEN R. JASPERS,
Senior Party
(U.S. Application 10/471,151).

Patent Interference No. 105,498 (MPT)
(Technology Center 1600)

Before: McKelvey, *Senior Administrative Patent Judge* and, Tierney and Moore, *Administrative Patent Judges*.
Tierney, *Administrative Patent Judge*.

JUDGMENT - REQUEST FOR ADVERSE - Bd. R. 127(b)

Dumoutier has filed a request for entry of adverse judgment. (Paper No. 17). Specifically, Dumoutier states that it requests adverse judgment as to claim 1 of its involved U.S. Application No. 09/915,735. Of note, claim 1 is the only pending claim in the '735 application and it corresponds to Count 1, the sole count in interference. (Dumoutier Clean Copy of Claims, Paper No. 4.5).

It is:

ORDERED that judgment on priority as to Count 1, the sole count in interference, is awarded against Junior Party Dumoutier.

FURTHER ORDERED that Junior Party Dumoutier is not entitled to a patent containing claim 1 of U.S. Application No. 09/915,735.

FURTHER ORDERED that a copy of this paper shall be made of record in the files of U.S. Application No. 09/915,735 and U.S. Application No. 10/471,151.

FURTHER ORDERED that should there be a settlement agreement, the parties attention is directed to 35 U.S.C. §135(c) and Bd. R. 205.

/Fred E. McKelvey/)
FRED E. McKELVEY)
Senior Administrative Patent Judge)
)
)
/Michael P. Tierney/)
MICHAEL P. TIERNEY)
Administrative Patent Judge)
)
)
/James T. Moore/)
JAMES T. MOORE)
Administrative Patent Judge)

BOARD OF PATENT
APPEALS AND
INTERFERENCES

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Attachments: jd105498_018.pdf

Judgment - Request for Adverse - Bd.R. 127(b)

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